



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION

500 WEST TEMPLE STREET

LOS ANGELES, CALIFORNIA 90012-2713

October 13, 2004

TTY

(213) 633-0901

TELEPHONE

(213) 974-1804

TELECOPIER

(213) 626-7446

TO: SUPERVISOR DON KNABE, Chairman  
SUPERVISOR GLORIA MOLINA  
SUPERVISOR YVONNE BRATHWAITE BURKE  
SUPERVISOR ZEV YAROSLAVSKY  
SUPERVISOR MICHAEL D. ANTONOVICH

FROM: RAYMOND G. FORTNER, JR.  
Chief Deputy County Counsel

RE: **Response to Public Records Act Request**

This is to provide you with a copy of our response to a Public Records Act Request from the Los Angeles Times seeking information concerning the legal fees and costs incurred by the County in defense of Brown Act lawsuits, including Los Angeles Times Communications, LLC v. Los Angeles County Board of Supervisors.

RGF:JFK:rfm

Enclosure

c: David E. Janssen  
Chief Administrative Officer

Violet Varona-Lukens, Executive Officer  
Board of Supervisors

Judy Hammond, Director  
Chief Administrative Officer - Public Affairs



# COUNTY OF LOS ANGELES

## OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION

500 WEST TEMPLE STREET

LOS ANGELES, CALIFORNIA 90012-2713

October 7, 2004

TTY

(213) 633-0901

TELEPHONE

(213) 974-1838

TELECOPIER

(213) 626-7446

Sue Fox, Staff Writer  
Los Angeles Times  
202 West First Street  
Los Angeles, California 90012

### Re: Public Records Act Request

Dear Ms. Fox:

This is in response to your electronic mail message ("e-mail") dated September 27, 2004, to Judy Hammond, Los Angeles County Public Information Officer, requesting copies of records pursuant to the California Public Records Act, Government Code section 6250, et seq. Your e-mail was referred to this office for review and response.

In your e-mail to Ms. Hammond, you requested copies of the following:

1. "[I]temized billing records showing how much money the county has spent defending itself against the lawsuit Los Angeles Times Communications LLC vs. Los Angeles County Board of Supervisors, including appeals.
2. "[R]ecords showing how much money the county paid the firm Brown, Winfield & Canzoneri and/or J. Kenneth Brown to analyze a 2002 proposed open government ordinance and to advise the Board of Supervisors on some of its own suggestions for reform.
3. "[R]ecords showing how much the county has spent defending itself against any other litigation involving alleged violations of the Ralph M. Brown Act."

Your e-mail to Ms. Hammond also indicated that the Los Angeles Times had previously requested information pertaining to Item No. 1 described above, but that the information was not provided. You did not specify when that request was made nor did you attach a copy of that request to your e-mail.

We respond to your request as follows:

1. ***"[I]temized billing records showing how much money the county has spent defending itself against the lawsuit Los Angeles Times Communications LLC vs. Los Angeles County Board of Supervisors, including appeals.***

Enclosed is a summary of the fees and costs incurred on behalf of the County of Los Angeles in *Los Angeles Times Communications LLC, et al., v. Los Angeles County Board of Supervisors*. This includes fees and costs incurred by County Counsel law staff as well as the law firm of Brown, Winfield & Canzoneri ("BW&C"). Please see Enclosure 1.

Please note that according to our records, a similar request was made earlier this year by Ms. Evelyn Larrubia, Times Staff Writer. Enclosed for your reference are copies of Ms. Larrubia's Public Records Act request and the May 4, 2004 response by this office. Please note that Ms. Larrubia's request was limited to the fees paid to BW&C. You will also note that there is a \$125.75 difference between the \$184,977.78 total BW&C fees and costs reported in May, 2004 and the \$185,103.53 total reported in the enclosed summary. This difference reflects the processing of a \$125.75 invoice subsequent to the date of our May 4, 2004 correspondence.

2. ***"[R]ecords showing how much money the county paid the firm Brown, Winfield & Canzoneri and/or J. Kenneth Brown to analyze a 2002 proposed open government ordinance and to advise the Board of Supervisors on some of its own suggestions for reform."***

Enclosed is a summary of the fees and expenses paid to the law firm of Brown, Winfield & Canzoneri for their Brown Act Advice to the Board of Supervisors. Please see Enclosure 2.

3. ***"[R]ecords showing how much the county has spent defending itself against any other litigation involving alleged violations of the Ralph M. Brown Act."***

The County has been involved in three other Brown Act related cases during the past 10 years. Enclosed is a summary of the fees and costs that were incurred in defending the Brown Act allegations of those cases. Please see Enclosure 3.

Sue Fox  
October 7, 2004  
Page 3

Please note that to the extent that any portion of your request applies to the individual billing records of both pending and closed cases, or portions thereof, such records are exempt from disclosure under Government Code section 6254, subd. (k), as protected by the attorney-client privilege and work-product doctrine. Also, to the extent that any portion of your request applies to records relating to pending civil actions against the County of Los Angeles, these records are exempt from disclosure as "pertaining to pending litigation." [Government Code § 6254, subd. (b).]

Very truly yours,

OFFICE OF THE COUNTY COUNSEL

By  -

JOHN F. KRATTLI  
Senior Assistant County Counsel

  
APPROVED AND RELEASED:

RAYMOND G. FORTNER, JR.  
Chief Deputy County Counsel

JFK:NMT

Enclosures

c: Judy Hammond, Director  
Chief Administrative Office - Public Affairs

OFFICE OF THE COUNTY COUNSEL

October 7, 2004

**Enclosure 1**

Summary of Fees & Costs for  
*Los Angeles Times Communications v. Los Angeles County Board of Supervisors*

	FEES	COSTS	TOTAL
County Counsel Staff	\$ 1,190.00	\$ 0.00	\$ 1,190.00
Brown, Winfield, and Canzoneri	\$ 181,847.50	\$ 3,256.03	\$ 185,103.53
Total of all fees and costs			\$ 186,293.53

OFFICE OF THE COUNTY COUNSEL

October 7, 2004

**Enclosure 2**

Summary of Fees & Costs for  
*Brown Act Advice to Board of Supervisors Provided by Brown, Winfield & Canzoneri*

	FEES	COSTS	TOTAL
Brown, Winfield, and Canzoneri	\$ 33,463.50	\$ 301.48	\$ 33,764.98

# OFFICE OF THE COUNTY COUNSEL

October 7, 2004

## Enclosure 3

Summary of Fees & Costs for  
*Brown Act Litigation as Requested by the Los Angeles Times,  
Sue Fox, September 27, 2004 Inquiry\**

### CASES:

Ernani Bernardi et al. v. Los Angeles County Board of Supervisors, et al.  
LASC Case No. BS027300

Los Angeles County Chicano Employees Association, et al. v. Gloria Molina, et al.  
LASC Case No. BC130655

Richard Devylder and Margaret Belton v. Los Angeles County Board of Supervisors  
USDC Case No. 99-10221 SVW

FEES	COSTS	TOTAL
\$ 78,283.36	\$ 742.29	\$ 79,025.65

\*See accompanying October 7, 2004 letter for explanation of chart.

# Los Angeles Times

202 West First Street  
Los Angeles, CA 90012  
213 237-5000

February 12, 2004

Lloyd Pellman/Donovan Main  
Los Angeles County Counsel  
648 Kenneth Hahn Hall of Administration  
500 W. Temple St.  
Los Angeles, CA 90012  
Via fax: (213) 617-1142

RE: Request to inspect and copy public records

Dear Messrs. Pellman and Main:

This letter is to request access to records in the possession of your agency pursuant to the California Public Records Act (Government Code Section 6250 et seq.).

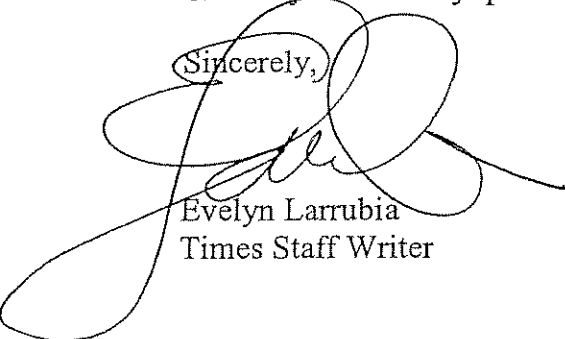
Specifically, I request:

The sum of all fees paid to Brown, Winfield and Canzoneri in defense of the Los Angeles Times' lawsuit alleging violation of the Brown Act and subsequent appeals to the California Court of Appeals and California Supreme Court, from 2002 to date.

Please make the records "promptly available," as required by Government Code Section 6253(b).

Should you have any questions, please feel free to call me at: (213) 237-7025.

Sincerely,



Evelyn Larrubia  
Times Staff Writer



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET  
LOS ANGELES, CALIFORNIA 90012-2713

May 4, 2004

TDD  
(213) 633-0901  
TELEPHONE  
(213) 974-1829  
TELECOPIER  
(213) 229-9924  
E-MAIL  
Dmain@counsel.co.la.ca.us

Evelyn Larrubia, Times Staff Writer  
Los Angeles Times  
202 West First Street  
Los Angeles, California 90012

**Re: Public Records Act Request**

Dear Ms. Larrubia:

In response to your letter of February 12, 2004 requesting a summary of all fees paid to the law firm of Brown, Winfield & Canzoneri for representation of the County in Los Angeles Times Communications LLC, et al. v. Los Angeles County Board of Supervisors (L.A. Superior Court No. BS075075), this is to inform you that satisfaction of judgment was filed in April of 2004 and the litigation is now concluded. A summary of the fees and expenses paid to Brown, Winfield & Canzoneri for the litigation is enclosed.

Very truly yours,

OFFICE OF THE COUNTY COUNSEL

By

DONOVAN M. MAIN  
Chief Deputy County Counsel

DMM:mr

Enclosure

## SUMMARY OF FEES AND EXPENSES

Los Angeles Times Communications LLC, et al. v. Los Angeles county Board of  
Supervisors, Los Angeles Superior Court No. BS 075075

Legal Fees: \$181,729.50

Expenses: \$ 3,248.28

Total: \$184,977.78